

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LADERIAN T. MCGHEE,

Plaintiff,

v.

ANTHONY ASHWORTH and
JASON RHODE,

Defendants.

ORDER

09-cv-722-slc

Plaintiff Laderian McGhee is proceeding on an Eighth Amendment claim that defendant Jason Rhode performed an unlawfully invasive search and on a First Amendment claim that defendant Anthony Ashworth retaliated against plaintiff for filing a grievance against Rhode regarding the search. In a January 24, 2011 order, I stayed further proceedings in order follow up about plaintiff's sworn statements regarding his epilepsy and to locate counsel for plaintiff. Review of plaintiff's medical records shows that he has been forthright about his condition, so I conclude it is appropriate to provide him with counsel as he proceeds to trial.

David Harth and Christopher Hanewicz, members of the Wisconsin Bar, have agreed to represent plaintiff, with the understanding that they will serve with no guarantee of compensation for their services. It is this court's intention that the appointment of these attorneys to represent plaintiff extend to proceedings in this court only.¹

Plaintiff should understand that because I am appointing counsel to represent him, he may not communicate directly with the court from this point forward. He must work directly with his lawyers and must permit them to exercise their professional judgment to determine which matters

¹ "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

are appropriate to bring to the court's attention and in what form. Plaintiff does not have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by his lawyers even if he disagrees with some of them. In addition, plaintiff should understand that it is highly unlikely that this court would appoint another lawyer to represent him if he chooses not to work with these lawyers. The court will schedule a status conference to reset the schedule in this lawsuit.

ORDER

IT IS ORDERED that David Harth and Christopher Hanewicz are appointed to represent plaintiff in this case. All proceedings in this case are STAYED pending a status conference, at which time a new schedule will be set for moving this case to resolution.

Entered this 2nd day of March, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge